



Atty. Dkt. No. 017446-0323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuhiro ISHIDA
Title: ADVERTISEMENT SYSTEM AND ADVERTISEMENT DISPLAY
METHOD
Appl. No.: 10/077,765
Filing Date: 02/20/2002
Examiner: Alvarez, Raquel
Art Unit: 3688
Confirmation Number: 3462

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), Before the mailing of a first Office action after the filing of a Request for Continued Examination under §1.114.

RELEVANCE OF EACH DOCUMENT

Set forth below is a partial English translation of Office Actions dated February 24, 2009 and March 3, 2009, for a counterpart Japanese patent application:

Claims 1–12: Cited Literature 1, 2, 3 and 4

(Remarks)

<Claims 1–2, 5–6 and 9–10>

Cited Literature 1 (Claims 1–4, paragraphs (0040), (0052) – (0056), (0068) – (0070), etc.) is found to describe technology relating to an advertising delivery system using mobile terminals, comprising mobile terminals, a management center, advertisers, etc., wherein the management center determines the advertising to be delivered by matching already inputted user properties and advertising data properties, and advertising data which has been transmitted from the management center and stored is displayed on a particular screen or a particular sequence of screens while the mobile terminal is in a standby state other than a talk state.

Furthermore, in the technical field of information delivery, technology whereby a portable terminal receives and displays advertising information transmitted at any time was well-known art at the time of filing of the present application, as described in undermentioned Cited Literature 2 (page 4, line 16 to page 5, line 3) and Cited Literature 3 (description of J-Sky Station on pages 117–118).

Applying the aforementioned well-known art to the invention described in Cited Literature 1 so as to have a portable terminal

display advertising data that is transmitted at any time on a standby screen instead of displaying stored advertising data on the screen when not in a talk state is a matter which could have been easily conceived of by a person skilled in the art.

Therefore, the invention of the present application could have been easily invented by a person skilled in the art based on the inventions described in Cited Literature 1–3 and the well-known art in this technical field.

<Claims 3–4, 7–8 and 11–12>

Cited Literature 4 is found to describe technology whereby a portable terminal user downloads a standby screen with advertising, and advertising is displayed on the portable telephone upon receiving user acknowledgement and permission.

Furthermore, specifying an address using a URL when downloading information on the Internet is well-known art, and creating the inventions described in the aforementioned claims based on this well-known art and the technology described in Cited Literature 1 and 4 is a matter which could have been easily conceived of by a person skilled in the art.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication 2000–268090
2. International Publication WO 99/52238 (see Published Japanese Translation of a PCT Application 2002–510419)
3. Kaoru Takatsuki. Next generation cell phones create new trends in mobile content. Nikkei Communication, Japan, Nikkei BP-sha, September 18, 2000, No. 326, pp. 117–120
4. Pull type advertising delivery for portables – Unique media. mobile media magazine, Japan, C.Media Co., Ltd., February 13, 2001, Vol. 9, No. 3, p. 10

• Prior art literature

Japanese Unexamined Patent Application Publication H11–68987

This record of prior art literature search results does not constitute a reason for rejection.

017446-0323 – 10/077,765

In the written opinion, the applicant compares the inventions described in Claims 1–24 as amended (hereinafter referred to as “the present inventions”) to the inventions described in the Cited Literature and states that the present inventions are characterized in that “‘advertising information received at any time is displayed on a standby screen’ or ‘advertising information received at any time is displayed on a standby screen even if there is no input operation for the display’.”

However, Cited Literature 2 (Claims 1–4, paragraphs (0040), (0052) – (0056), (0068) – (0070), etc.) is found to describe technology relating to an advertising delivery system using mobile terminals, comprising mobile terminals, a management center, advertisers, etc., wherein the management center determines the advertising to be delivered by matching already inputted user properties and advertising data properties, and advertising data which has been transmitted from the management center and stored is displayed on a particular screen or a particular sequence of screens while the mobile terminal is in a standby state other than a talk state.

Furthermore, in the technical field of information delivery, technology whereby a portable terminal receives and displays advertising information transmitted at any time was well-known art at the time of filing of the present application, as described in undermentioned Reference Literature 1 (page 4, line 16 to page 5, line 3), Reference Literature 2 (description of J-Sky Station on pages 117–118) and Reference Literature 3.

Applying the aforementioned well-known art to the invention described in Cited Literature 2 so as to have a portable terminal display advertising data that is transmitted at any time on a standby screen instead of displaying stored advertising data on the screen when not in a talk state is a matter which could have been easily conceived of by a person skilled in the art.

Therefore, the inventions of the present application could have been easily invented by a person skilled in the art based on the inventions described in Cited Literature 1 and 2 and the well-known art in this technical field.

Thus, the applicant’s statement in the written opinion cannot be accepted.

<Cited Literature>

1. Japanese Unexamined Patent Application Publication
H11-68987

2. Japanese Unexamined Patent Application Publication
2000-268090

<Reference Literature>

1. International Publication WO 99/52238 (see Published
Japanese Translation of a PCT Application 2002-510419)

2. Kaoru Takatsuki. Next generation cell phones create
new trends in mobile content. Nikkei Communication, Japan,
Nikkei BP-sha, September 18, 2000, No. 326, pp. 117-120

3. J-Phone's new focus on J-Sky service: no
communication charge information provision service initiated.
Telecommunication, Japan, Ric Telecom Co., Ltd., September
25, 2000, Vol. 17, No. 10, p. 56

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Japanese application. An English translation of the foreign language documents is not readily available; however, the absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP §609).

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: April 20, 2009

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